

CALE BENGTSON,
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 Plaintiff,)
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 vs.) No. 16-00093-CV-W-FJG
)
 THE KANSAS CITY SOUTHERN)
 RAILWAY CO.,)
)
 Defendant.)

Currently pending before the Court is plaintiff's Motion to Stay Proceedings (Doc. # 8). Plaintiff alleges that the defendant violated the Family and Medical Leave Act ("FMLA") on three separate occasions. Plaintiff is also alleging that two of these three incidents were also violations of the Federal Railroad Safety Act ("FRSA") and the Americans with Disabilities Act ("ADA"). Plaintiff was forced to file his complaint in this case on February 4, 2016, because the statute of limitations was about to expire for one of the FMLA violations. Plaintiff states that he would prefer to try all of his claims together, but a provision of the FRSA states that plaintiff cannot take any action to litigate the FRSA violations in federal court until 210 days after he filed his complaint with OSHA. Plaintiff states that he cannot move to join his FRSA claim to this case before June 8, 2016. Additionally, plaintiff cannot litigate his ADA claims in federal court until he requests and receives permission from the EEOC. Plaintiff states that it is in the parties' and the court's best interests to litigate all of these claims simultaneously and states that

the defendant agrees that this case should be stayed until plaintiff can join his ADA and FRSA claims in this case.

Accordingly, for good cause shown the Motion to Stay Proceedings is hereby **GRANTED** (Doc. # 8). This case and all pending pleading and response deadlines are hereby **STAYED**. The parties shall file a status report with the Court on or before **June 13, 2016**.

Date: April 26, 2016
Kansas City, Missouri

S/ FERNANDO J. GAITAN, JR.
Fernando J. Gaitan, Jr.
United States District Judge